

RESOLUTION NO. A-_____

SPECIAL PERMIT NO. 1271F

1 WHEREAS, Somerset Apartments, Ltd. has submitted an application
2 designated as Special Permit No. 1271F for authority to amend the Trendwood Community
3 Unit Plan to add 12 multi-family dwelling units, delete the existing tennis courts, reduce the
4 required parking, reduce the front yard setback along S. 84th Street, increase the cluster
5 density above 15 dwelling units per acre, and permit a 34 foot separation in lieu of 40 feet
6 between the new multi-family building and the existing clubhouse, on property generally
7 located at S. 84th Street and Van Dorn Street, and legally described as:

8 Lot 1, Block 5, Trendwood 9th Addition, located in the
9 Southeast Quarter of Section 34, Township 10 North, Range
10 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska
11 (except that portion deeded to the City of Lincoln, NE by
12 Instrument No. 00-015306);
13

14 WHEREAS, the real property adjacent to the area included within the site
15 plan for this Community Unit Plan will not be adversely affected; and

16 WHEREAS, said site plan together with the terms and conditions hereinafter
17 set forth are consistent with the intent and purpose of Title 27 of the Lincoln Municipal
18 Code to promote the public health, safety, and general welfare.

19 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
20 Lincoln, Nebraska:

21 That the application of Somerset Apartments, Ltd., hereinafter referred to as
22 "Permittees", to amend the Trendwood Community Unit Plan to add 12 multi-family
23 dwelling units, delete the existing tennis courts, reduce the required parking, reduce the
24 front yard setback along S. 84th Street, increase the cluster density above 15 dwelling

1 units per acre, and permit a 34 foot separation in lieu of 40 feet between the new multi-
2 family building and the existing clubhouse, be and the same is hereby granted under the
3 provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon
4 condition that development of said amended Community Unit Plan be in strict compliance
5 with said application, the site plan, and the following additional express terms, conditions,
6 and requirements:

7 1. This permit approves:

- 8 a. A maximum of 368 total dwelling units.
- 9 b. A reduction of required number of parking spaces from 408 to
10 402.
- 11 c. An increase of cluster density from 15 dwelling units per acre
12 to 16.2 dwelling units per acre.
- 13 d. A 34 foot separation in lieu of a 40 foot separation between the
14 new multi-family building and the existing clubhouse.
- 15 e. A reduction the front yard setback along S. 84th Street for the
16 new building if applicable.

17 2. Before receiving building permits:

- 18 a. The Permittee must submit a revised and reproducible final
19 site plan, including five copies, as approved by the City
20 Council.
- 21 b. The construction plans must conform to the approved plans.

22 3. Before occupying the dwelling units all development and construction
23 must be completed in conformance with the approved plans.

24 4. All privately-owned improvements, including landscaping and

1 recreational facilities, must be permanently maintained by the Permittee.

2 5. The site plan approved by this permit shall be the basis for all
3 interpretations of setbacks, yards, locations of buildings, location of parking and circulation
4 elements, and similar matters.

5 6. The terms, conditions, and requirements of this resolution shall be
6 binding and obligatory upon the Permittee, its successors, and assigns. The building
7 official shall report violations to the City Council which may revoke the special permit or
8 take such other action as may be necessary to gain compliance.

9 7. The Permittee shall sign and return the City's letter of acceptance to
10 the City Clerk within 30 days following approval of the special permit, provided, however,
11 said 30-day period may be extended up to six months by administrative amendment. The
12 City Clerk shall file a copy of the resolution approving the special permit and the letter of
13 acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the
14 Permittee.

15 8. The site plan as approved with this resolution voids and supersedes
16 all previously approved site plans, however all resolutions approving previous permits
17 remain in force unless specifically amended by this resolution.

Introduced by:

Approved as to Form & Legality:

City Attorney

Staff Review Completed:

Administrative Assistant